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FS007614 – Application for Foreshore Consent for Dublin Harbour Capital Dredging Project

Compliance with National Marine Planning Framework (NMPF)

Dublin Port Company (DPC) applied for consent under the Foreshore Acts to occupy an area of foreshore for the Dublin Harbour Capital Dredging Project for the purpose of undertaking capital dredging works required to create the required depth of the navigation channel, basins and berthing pockets identified by the Dublin Port Masterplan 2040, reviewed 2018. The proposed capital dredging dredging comprise the following elements:

- Deepening the navigation channel between North Wall Quay Extension and the Western Oil Jetty, including riverside Berth 35;
- Deepening of Alexandra Basin East and deepening/widening of berths;
- Deepening of the Oil Basin and widening of berths;
- Deepening of the Ferryport Basin;
- Deepening of riverside Berth 52;
- Widening the South Port (Berths 42 - 47) berths, and
- Removal of ridge between the navigation channel and the Poolbeg Oil Jetty (Berth 48).

The application was made to the Foreshore Unit, Department of Housing, Local Government and Heritage (DHLGH) on 5th July 2021.

The application is supported by an Environmental Impact Assessment Report (EIAR), an Appropriate Assessment Screening Report and Natura Impact Statement (NIS).

Section 2.3 of the EIAR considers EU, national, regional and local land use and transport planning and development policy guiding and regulating the development of Dublin Port. Section 2.3.3 specifically addresses Marine Spatial Policy but does not fully address the National Marine Planning Framework which was published on 30th June 2021, circa one week prior to submission of the Foreshore Application.

This document addresses compliance of the Dublin Harbour Capital Dredging Project with the National Marine Planning Framework (NMPF) and acts as an Addendum to Section 2.3 of the EIAR.

1.0 National Marine Planning Framework

The National Marine Planning Framework (NMPF) was published on 30th June 2021 and brings together all marine-based human activities for the first time, outlining the government's vision, objectives and marine planning policies for each marine activity.

The NMPF details how these marine activities will interact with each other in an ocean space that is under increasing spatial pressure, ensuring the sustainable use of our marine resources to 2040.

The NMPF is intended as the marine equivalent to the National Planning Framework. This approach will enable the Government to:

- set a clear direction for managing our seas
- clarify objectives and priorities
- direct decision makers, users and stakeholders towards strategic, plan-led, and efficient use of our marine resources

The NMPF has been prepared with an ecosystem-based approach and informed by best available knowledge. As part of the preparation of the NMPF, a Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) have been carried out.

The Policy objectives for Ports, Harbours and Shipping is set out in Chapter 15 of the NMPF.

This document sets out how the Dublin Port Capital Dredging Project is compliant with the overall objectives of the NMPF and its relevant planning policies.

2.0 Compliance with NMPF Overall Objectives

The NMPF overall objectives are set out below

- Safeguard the operation of ports as key actors in the economic wellbeing of the State through the provision of safe and sustainable maritime transport.

- Facilitate a competitive and effective market for maritime transport services.
- Sustainable development of the ports sector and full realisation of the National Ports Policy with a view to providing adequate capacity to meet present and future demand, and to adapt to the consequences of climate change.
- Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance, and smaller harbours are appropriately addressed in regional and local marine planning policy.

DPC compliance response to NMPF Overall Objectives

The Dublin Harbour Capital Dredging Project fully complies with the NMPF Overall Objectives as set out in Section 1.5 of the EIAR. A summary is presented below:

Dublin Port Company (DPC) is a State-owned commercial company responsible for operating and developing Dublin Port.

Dublin Port is the largest freight and passenger port in Ireland, with all cargo handling activities being carried out by private sector companies operating in intensely competitive markets within the port.

Dublin Port has been identified as a Core Port of international significance in the Trans European Network (TEN-T) Guidelines and it forms part of the European Union's Core Transportation Network, and it is also designated a Tier 1 Port of national importance in the National Ports Policy 2013.

Dublin Port's large share of national port volumes, particularly in the Roll-On Roll-Off (Ro-Ro) and Load-On Load Off (Lo-Lo) modes, arises due to a combination of two factors; location and depth of water. Dublin Port is a key part of the national port system and DPC seeks to ensure that it plays its role in providing national port capacity. For all of Ireland's major national ports, it is essential that capacity constraints do not emerge which could lead to supply chain inefficiencies. The Dublin Port Masterplan 2040, reviewed 2018, seeks to ensure that no capacity constraints emerge in Dublin Port between now and 2040.

The Masterplan 2012-2040 was first adopted by the Board of DPC on 26th January 2012, and published in February 2012. In the eight years since, it has guided the development of the port particularly through three major initiatives:

- Firstly, the Alexandra Basin Redevelopment (ABR) Project obtained planning permission in July 2015 and construction is now underway. The ABR Project includes a significant capital dredging programme to deepen Dublin Port's navigation channel from a standard depth of -7.8m Chart Datum (CD) to -10.0m CD.
- Secondly, the construction of the 44 hectare Dublin Inland Port, located 14 km from Dublin Port, has commenced, following a grant of planning permission by Fingal County Council, and will allow non-core port-related activities to be relocated away from Dublin Port. This, in turn, will free up much needed land close to the quays and berths in Dublin Port for the transit storage of cargo.
- Thirdly, the MP2 Project which obtained planning permission in July 2020. The MP2 Project complements the ABR Project in providing capacity for growth in the Ro-Ro and Lo-Lo modes on the north side of the port and at its eastern end in addition to providing suitable infrastructure for increasing numbers of ferry passengers.

In the years from 2012 to 2020, five significant policy documents have been published:

- National Ports Policy, 2013;
- DPC's Franchise Policy, 2014;
- Dublin City Development Plan 2016 – 2022;
- Project Ireland 2040 National Planning Framework, 2018; and
- DPC's Dwell Time Policy, 2019

There has been unanticipated and strong economic recovery after the 2008 recession which has led to large growth in cargo volumes from 28.1m gross tonnes in 2011 to 39.0m gross tonnes in 2020, an increase of 35.2%. Against this background, a review of the Masterplan 2012-2040 was completed in 2018 and this review led to two fundamental conclusions:

- Firstly, where the Masterplan had originally envisaged a return to an eastern expansion of Dublin Port into the Tolka Estuary, DPC is no longer pursuing this as an option.
- Secondly, to meet anticipated capacity requirements, Dublin Port needs to be developed on the basis of an average annual growth rate (AAGR) in port volumes of 3.3% over the 30 years from 2010 to 2040, rather than the 2.5% originally assumed in 2012.

Since the review in 2018 two developments with significant potential to impact economic growth and capacity requirements at Dublin Port have occurred, Brexit in January 2020 and the Covid-19 pandemic response initiated in March 2020. Both of these events are assessed in Chapter 2 of the EIAR. Their overall impact is considered to be transitory and the resulting economic slowdown in the years to 2030 will have no perceptible influence on the medium to long term demand for additional port capacity.

Therefore, the conclusions above create a significant degree of certainty on the ultimate scale and impact of Dublin Port on the city, the environment and on local and national transport networks.

Between now and 2040, major development projects are envisaged on both the north side of the port and on the Poolbeg Peninsula, as envisaged in the Dublin Port Masterplan 2040. These projects include capital dredging works to complete the deepening of the navigation channel and basins from -7.8m CD to -10.0m CD and to provide for deep water berths. These projects will be subject to detailed scrutiny in terms of their environmental impact and, particularly, their potential impact on Natura 2000 sites in or near Dublin Bay.

Given the high growth rates projected, and the need to cater for this growth without further eastern expansion into the Tolka Estuary, DPC will only bring forward development projects which are consistent with the principles of proper planning and sustainable development, and which can be objectively demonstrated not to adversely affect the environment in all its facets, including the integrity of Natura 2000 sites.

DPC is challenged to complete major infrastructure projects without disruption to the port's large and increasing throughput of both cargo and passengers.

Dublin Port's Masterplan 2040 provides the necessary framework to allow these essential projects to be brought forward for consent and to be completed in time to meet demand. The Masterplan also indicates to all of the port's stakeholders how the port will be developed to meet their needs in the years ahead.

The past and projected growth to 2040 is in large part due to the growth in the country's population. In 1950, the population was 3.0m and by 2040 is projected to grow to 5.6m. Over this period, volumes through Dublin Port are projected to increase 27-fold from 2.9m gross tonnes in 1950 to 77.2m in 2040.

Port infrastructure is long lived. For instance, Dublin Port critically depends, for its depth of water and sheltered berths; firstly, on the 18th century Great South Wall; and, secondly on the North Bull Wall, completed in 1824. These breakwater structures, which today are of significant historic value, remain the port's primary line of defence against storm waves entering Dublin Bay from the expansive waters of the Irish Sea. The maintenance and long-term stability of the Great South Wall and the North Bull Wall are thereby essential to the operation of Dublin Port.

In addition to accommodating increased port capacity, the Dublin Port Masterplan 2040 also guides the development of Dublin Port to achieve a second and equally important objective of integrating Dublin Port with

Dublin City and with Dublin Bay. This will involve a range of projects and initiatives based on the port's heritage and on the natural environment.

Dublin Port is an essential part of Dublin and contributes to the life of the city in many ways. Dublin Port is a crucial part of the national infrastructure which facilitates merchandise trade in and out of Ireland. The port is also of key importance to the national tourism sector as an important gateway for visitors to Ireland. The contribution that Dublin Port makes to the national and regional economy and to the people of Ireland as a strategic piece of infrastructure gives port lands, navigation channel and berths their real intrinsic value.

Dublin Port is a significant focal point for employment in Dublin, both directly through businesses operating in the port and regionally through enterprises supported by the trading activity carried out at the port. An efficient and dynamic Dublin Port will contribute to the generation of more employment in the economy.

The Dublin Harbour Capital Dredging Project is now being brought forward for consent from the Dublin Port Masterplan 2040.

3.0 Compliance with NMPF Planning Policies

The Planning Policies for Ports, Harbours and Shipping are set out in Chapter 15 of the NMPF.

There are three planning policies (Policy 5, 8 & 9) which directly relate to the Dublin Port Capital Dredging Project. These policies and DPC's response to demonstrate full compliance are set out below:

Policy 5 Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity, and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s).

DPC compliance response to NMPF Policy 5

As set out above, the proposed Dublin Harbour Capital Dredging Project is required to safeguard national port capacity and Ireland's international connectivity. The Foreshore Application is supported by an EIAR, Appropriate Assessment Screening Report and NIS which set out the required compliance assessments which were undertaken to support the Foreshore Application.

Policy 8 Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impact must, in order of preference"

- a) minimise,
- b) mitigate, or
- c) if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding.

DPC compliance response to NMPF Policy 8

DPC intend to dispose of the dredged spoil arising from the Dublin Harbour Capital Dredging Project at the licensed offshore disposal site located at the approaches to Dublin Bay, west of the Burford Bank.

Section 7.1 of the EIAR sets out the environmental appraisals undertaken of the potential impact due to dumping operations at the disposal site in relation to benthic biodiversity and fisheries.

The licensed offshore disposal site lies within the Rockabill to Dalkey Island Special Area of Conservation (SAC) where the Qualifying Interests are Harbour Porpoise and Reefs. The NIS sets out the environmental appraisals undertaken of the potential impact due to dumping operations in relation to the Natura 2000 sites proximate to the disposal site.

The EIAR and NIS set out a series of mitigation measures which will be fully implemented during the proposed dredging operations to ensure no significant impact at the disposal site.

Policy 9 Proposals for the management of dredged material must demonstrate that they have been assessed against the waste hierarchy.

DPC compliance response to NMPF Policy 9

An Assessment of Alternatives was undertaken for the Dublin Harbour Capital Dredging Project which is set out in Chapter 4 of the EIAR.

A summary of the results of the Assessment of Alternatives is set out below:

At strategic level, the Masterplan identified that the Dublin Harbour Capital Dredging Project is a key element of its implementation, underpinning the Masterplan's fundamental approach of providing capacity in Dublin Port for the 77.2m gross tonnes projected by 2040 by maximising the utilisation of Dublin Port's brownfield lands. The assessment process in support of the Masterplan identified that the development in this area of the Port is the most sustainable approach and the desired approach from a strategic point of view.

The Dublin Harbour Capital Dredging Project is concluded to be an essential step in achieving the Port's ambitious throughput objective.

At detailed design level the evolution of the proposed capital dredging works was considered to achieve the Dublin Harbour Capital Dredging Project's objective of loading and disposing of 500,000m³ of marine sediments.

A number of alternative loading options were examined including the use of a range of mechanical and hydraulic dredgers. The preferred option identified was the use of a backhoe dredger and/or a Trailing Suction Hopper Dredger. No over-spill will be permitted whilst loading within the inner Liffey channel (Dublin Harbour). The quantity of dredged material entering the water column as a sediment plume is therefore expected to be similar for both types of dredger. Monitoring undertaken during the ABR Project has shown that loading operations within Dublin Harbour has had no significant impact on water quality.

A number of disposal options were also examined including: do-nothing; beneficial re-use; disposal on land; incineration and disposal at sea. The preferred option identified was a combination of disposal at sea and re-use with computational modelling undertaken to determine appropriate method, rate, timing and location of these activities. A sediment chemistry and eco-toxicological sampling and analysis programme confirmed the sediments had no biological effect and thereby suitable for the safe disposal at sea. No significant environmental impacts of this design choice were identified.

4.0 Conclusion

This document describes the compliance review undertaken of the Dublin Harbour Capital Dredging Project against the requirements of the National Marine Planning Framework (NMPF)

It concludes that the Dublin Harbour Capital Dredging Project is fully compliant with both the overall objectives of the NMPF and its associated Planning Policies.

Yours sincerely



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